

IN THE SUPREME COURT OF NOVA SCOTIA
(FAMILY DIVISION)

Citation: Nicholson v. Whyte, 2005 NSSC 198

Date: 20050713

Docket: SFHOTH-020020

Registry: Halifax

Between:

William Alexander Nicholson

Applicant

v.

Tracey Anne Whyte (nee Hoopey)

Respondent

LIBRARY HEADING

JUSTICE R. JAMES WILLIAMS

HEARD: Halifax, Nova Scotia
June 1 and 2, 2005

WRITTEN
DECISION: July 13, 2005

SUBJECT: Unmarried couple. Claim to interest in two properties by
Nicholson via unjust enrichment, resulting trust.

SUMMARY: No interest in one property, one-half interest in second.

ISSUE: Application of principles of unjust enrichment, resulting trust,
choice of remedy.

RESULT: Nicholson to receive \$25,000.00 - one-half of value of second
property.

**THIS INFORMATION SHEET DOES NOT FORM PART OF THE
COURT'S DECISION. QUOTES MUST BE FROM THE DECISION, NOT
THIS COVER SHEET.**